

## STATE OF THE UNION.

# SPEECH OF HON. WM. E. SIMMS, OF KENTUCKY,

*Delivered in the House of Representatives, February 9, 1861.*

The House having under consideration the report from the select committee of thirty-three—

Mr. SIMMS said:

Mr. SPEAKER: The history of the world furnishes but few instances where men, exercising high public trusts, have turned from the seductions of power and place, and subordinated to the public good every selfish ambition.

There have been such instances, sir; and whenever or wherever this noblest of public virtues has been displayed, the historian has recorded the act; and that act itself was immortality. Time and revolution may work the disruption and overthrow of empires, effacing them from the map of nations; but neither time nor revolution can impair the imperishable deeds of patriotism that will ever cluster around their history. While we may thus be encouraged to act upon this occasion by the example of the good and great of every age and country, let us not forget that, even among men, ingratitude has ever been esteemed the most unpardonable of all moral wrongs. No society has ever undertaken to prescribe penalties for this offense. Its punishment has been fixed in the universal execration of all mankind.

If such, sir, be the character of "man's ingratitude to man," what must be the moral turpitude of this offense when it rises to the dignity of a nation's guilt, not only towards all mankind but against high Heaven itself? From the day, sir, your fathers and mine left the shores of the Old World, severing the ties of kindred, and looking for the last time upon the land that gave them birth, a kind and ever-watchful Providence seems to have held not only their destiny, but also that of their children after them, in the very hollow of His hand. From a few wandering exiles in this then western wilderness, menaced by dangers within and without, seeking to lay the foundations of a Government upon the eternal principles of justice and equality, in a few short years we have, as if by magic, sprung forward in the very front rank of the nations of the earth. Over this vast continent we could cast our eyes, and calculate at no distant period when its every river and sea would become the channels of our trade and commerce; when its every hill and valley would bear the impress of our civilization, and echo to the sound of our industry; and thus standing, sir, with the eyes of the world upon us, with the impulses of every generous heart with us, with the glories of the past around us, and the hopes of the future before us, we are now about to dash this bright vision to the earth, insult with ingratitude the God of our fathers, and sink all that is ours, and all that might be ours, in the mournful ruins of a dismembered nationality. Nor, sir, is this enough. The blackest crime in the annals of human guilt must yet be added to make complete this last sad chapter in our history. War, sir, civil war, with all its untold horrors, must close the scene. Sir, the time will come when the events of this day will rise up in judgment against the guilty of this hour.

And, sir, standing in the very presence of events so momentous as these, what has been the conduct of the dominant party upon this floor? Sir, I charge, in the presence of this House, and I defy contradiction, that there has not been a day, nor an hour, since this Congress met, when it was not within the power of the Republican party to have reached forth their hand and save the Republic. And yet, with the very destiny of the nation in their hands, and a responsibility so high, so sacred, resting upon them, they have closed their ears to every appeal of justice, have spit upon every proposition of peace and conciliation, have seen the Union crumble to pieces at their very feet, and heard its very heart-strings break, one by one; and now, at this very moment, standing as they do upon the ruins of a dismembered Government, they meet the discontents of the land only with the threats of power and slaughter. And for this strange and unnatural conduct, what plea of justification has been made? This, sir, and this only: "The Chicago platform must be maintained." Party allegiance is thus made of higher obligation than love of country. The Constitution is nothing; the Union is nothing; all must be offered up upon the altar of party. Sir, shall the destiny of this Government turn upon the mere cast of a party die? Shall it be raffled away?

What is party or party power? We are here, to-day, fretting out a brief existence, and strutting upon the stage of life; to-morrow we may be "food for worms," when "two paces of the vilest earth" will be room enough. But our actions—these will live after us, and prove to the world whether we ever deserved to live at all, and whether we have not been more of a curse than a blessing in our age and generation. Sir, is this Chicago platform to be maintained, because it embodies the very essence of the Constitution and the very principles upon which the Government was founded? Sir, I charge that the leading and vital principle of that platform is in direct violation of the Constitution, and that that principle, in its application to the public policy of this country, has worked the disruption of the Government. It asserts the power, coupled with the duty, on the part of the national Congress, to exclude slavery from every inch of the common Territories of the United States. Congress has no such power, and that question has been determined by the highest judicial tribunal known to this Government,

Here is the decision of the Supreme Court, rendered in the Dred Scott case, upon this very point. Referring to the act of Congress prohibiting slavery north of the line of  $36^{\circ} 30'$ , known as the Missouri restriction, the court said:

"Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind [slave property] in the Territories of the United States north of the line therein mentioned, is not warranted by the Constitution, and is therefore void."

The people of the southern States, in insisting upon their right to enter with their slave property the common Territories of the United States, and in protesting against this principle in your party platform that would exclude them, have asked and demanded nothing that is not guaranteed to them by the Constitution. Can this Union be maintained by violating the Constitution? Did not the Constitution form the Union? Can there be any Union when the Constitution is destroyed? The Republican party insist upon a palpable violation of the Constitution, and yet claim to be the friends and defenders of the Union. They have worked a disruption of the Government, and now propose to use the Army and Navy of the United States to murder and butcher others for the wrong and injustice they themselves have done. Of all the crimes, sir, that have ever been perpetrated in the name of liberty and law, this is the most unblushing. Upon their heads rests alone the responsibility of overthrowing the Republic; and history, impartial history, will so record it.

But, sir, to waive the constitutional right of the South in this controversy, and rest the whole question upon the principles of eternal justice, as between man and man, and man and God, what higher right have you of the North to enter the common Territories of the Union with your property than the people of the South? Was it alone acquired by your blood and treasure? No, sir. Have you exclusive privileges, as American citizens, under the Constitution? No, sir. From what source of power, then, do you derive this exclusive right? From the Constitution? No, sir. You claim it alone from the source of sectional popular power, in direct violation of the Constitution. Do you affect amazement that the South should protest against this, and that discontent should fill the land? Is it the mere territory you demand, and the last dollar of its value you seek? Then why not accept the proposition of adjustment submitted by Mr. CRITTENDEN? North of  $36^{\circ} 30'$  there are one million six hundred thousand square miles of territory, while south of it there are only two hundred and seventy thousand square miles. From the most reliable estimates in the Department, the territory north of this line is worth twenty times as much as that south of the line. You thus get, by this division, nineteen out of every twenty dollars of its aggregate value in money; and five out of every six acres of its actual area. Does your sense of justice demand more than this? You will scarcely have the courage to look an honest man in the face, and demand more. Why, then, reject the proposition? You reply that the Crittenden proposition proposes to recognize and protect slavery south of the line; that, in this respect, it proposes to incorporate the principles of the Breckinridge platform, to that extent, in the Constitution; and rather than submit to that, you will overthrow the Government.

The proposition of Mr. CRITTENDEN proposes to incorporate the principles of no party platform in the Constitution south of that line. It only proposes to incorporate, in terms more clear and distinct, the principles of the Constitution itself as it now exists, and as they have been determined and expounded by the Supreme Court of the United States. As a set-off to this, does it not also propose to incorporate the principles of the Chicago platform in the Constitution, north of that line, so far as the exclusion of slavery from that territory is concerned? Is it unreasonable, in an adjustment of difficulties upon which hinges the very destiny of the Republic between the contending sections, that the principles of the Constitution, as now expounded by the courts, should be clearly defined in relation to the territory south of that line; when, by this same proposition, a new principle, in direct violation of the Constitution as now expounded, is to be incorporated in the Constitution for the government of five-sixths of the whole territory of the United States north of that line? By the principles of this proposed adjustment, the South gains nothing except a mere definition

f their rights to one-sixth of the territory which exists to-day in the whole public domain under the Constitution, without amendment; while the North gains the establishment of a new principle for their exclusive benefit in five-sixths of the whole territory, where to-day that exclusive right does not exist under the Constitution unamended in one single inch of it. This proposition can have in it but one feature to commend it to the approval of the South, and that is this: it proposes an everlasting settlement of this long-contested issue between the North and the South; it proposes peace, now and forever, upon this vexed question.

In that spirit alone have we signified a willingness to accept it. By it, we are surrendering our rights of equality in five-sixths of the whole public domain, in order that we may have quiet and repose in that barren region which may remain to us. And, sir, will this proposition be accepted by the North? We have yet to see the first evidence of that character upon this floor? And why?

Mr. STANTON. I would reply, that slaveholding civilization is not a desirable form of civilization; that it ought not to be extended; and I will not force it upon any people against their will. If the people of any portion of these United States, few or many, in any Territory, do not desire the establishment of slavery among them, I will never vote to impose it upon them. Again, I would not vote for the Crittenden proposition, because it includes within it all future acquisitions; that is, the whole Republic of Mexico, and South America, perhaps; and, through its instrumentality, the slaveholding power of the Confederacy would ultimately control the Government.

Mr. SIMMS. Would you vote for the Crittenden proposition with the clause in reference to future acquisitions stricken out?

Mr. STANTON. I have answered that proposition already. I would not. If slavery is established in the Territory of New Mexico and Arizona, all future acquisitions, whether their status is fixed now or not, will follow the condition of the contiguous territory; so that if you now settle, by constitutional provision or by law, that those Territories shall be slaveholding Territories, you practically establish the proposition that all future acquisitions, attached and contiguous to them, shall be slaveholding Territories and States.

Mr. SIMMS. The distinguished gentleman from Ohio has answered my question just as I expected. It is hostility to the institution of slavery. He has answered it as his colleague who has just addressed this House would have answered it; and to know how he would have answered it, it is enough to say that he beat Joshua R. Giddings for Congress, upon the ground that he (Giddings) was not sound upon the abolition question. Who, sir, ever desired to force slavery upon an unwilling people? If we of the South should assume that position, we would be as radically wrong as the Republicans, who now insist that we shall not have slavery where we want it in the common Territories.

The gentleman's other objections land him exactly where he was at the beginning, dead against every proposition of adjustment that does not amount to a total exclusion of slavery from every inch of territory now belonging to the United States. It will be remembered, too, that the gentleman is one of the most conservative members of his party upon this floor.

In his speech, delivered a few days since, he denied, as I understood him, that there could be any such thing as property in man.

Mr. STANTON. I hope the gentleman will not pass from this point in the discussion in reference to the position taken by me in a former speech without permitting me to correct him.

Mr. SIMMS. Have I mistaken your position?

Mr. STANTON. Certainly.

Mr. SIMMS. Then you shall correct me.

Mr. STANTON. I certainly never intended to be understood, and I never said, that slaves were not property in the States, by virtue of whose laws and usages they were recognized as slaves. I did say that, according to my construction of the Constitution, it did not recognize slavery beyond the territorial limits of the States by virtue of whose laws and usages slavery was established. That is my position.

Mr. SIMMS. You do not now say that there can be such a thing as property in man, even in the States where slavery exists; you only say that, in your judgment, the Constitution does not recognize such property beyond the limits of the State tolerating it. You and the Supreme Court differ upon this point, materially; and as you and your party are, at this time, very anxious to enforce the laws, even to the extermination of the people of the seceding States, I call upon you to regard the obligation of this law, that will be less bloodless, if not less painful, to your conscience in its requirements. Here is the law, as expounded by the Supreme Court; not a law passed by Congress, but the law of the Constitution you have sworn to support:

"Now, as we have already said, in an earlier part of this opinion, upon a different point, the right of property in a slave is distinctly and expressly affirmed in the Constitution. And no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than property of any other description."

This, sir, is the language of the Supreme Court, declaring that the right of property in slaves is distinctly and expressly affirmed in the Constitution. I have already shown that the court declared the Missouri restriction unconstitutional, because it excluded slavery from any part of the Territories of the United States. This, I should think, would settle this point. Will the gentleman, then, enforce this law? No, sir; he and his party, when it comes to enforcing laws recognizing and protecting the rights of the people of the South in the common territories, immediately fall back upon their allegiance to that "higher law than the Constitution," which means practically that all laws and constitutional provisions in favor of the rights of the people of the South are void, according to their consciences, and shall not, therefore, be enforced. Their idea of enforcing the laws is, that all that operate against the South shall be enforced, even if it hangs the last man of them; while all that operate in their favor shall be omitted in the enforcing list.

But again: if the Constitution does not recognize property in slaves beyond the limits of the slave States, why did the Government of the United States undertake to protect this species of property for twenty years upon the high seas, after it was organized by an express provision of the Constitution guaranteeing the African slave trade? Why insert the clause in the Constitution requiring a rendition of fugitives from service, to be returned by the non-slaveholding States? If the position of the gentleman be true, the moment a slave places his foot upon the soil of Ohio, the right of property vested by the local law of Kentucky ceases. If the Constitution of the United States does not recognize his right of property, the laws of Ohio certainly do not. The laws of Kentucky do not operate in Ohio; under what law or principle can he be reclaimed? This position of the gentleman brings the Canada shores to the borders of the Ohio river.

Mr. Speaker, it would be agreeable to continue this running debate, as it is by far the most certain method of arriving at the truth; and that alone I seek in this discussion; as by it, I am willing that the South may stand or fall, not only in the judgment of men, but before the great tribunal of that unerring Judge, at whose bar we must all at last appear. But there are other vital issues to which I wish to refer within the time allowed me by the rules of the House.

I will say, in conclusion upon this point for the present, and I challenge contradiction in this House, that nine-tenths of the Republican party who have addressed this committee during this discussion and during the last session of Congress, have denied, unconditionally, that there can be any such thing as property in man. This, sir, is the position of the Republican party upon this question, as declared by its representative men upon this floor, and in the other end of the Capitol. This position strikes not only at the question of slavery in the States, but wherever else it may exist. If this proposition be true, the tenure by which the people of the southern States hold their \$4,000,000,000 worth of slave property, will dissolve that very moment when the courts of this country are to be infected with this diseased public sentiment.

Mr. Speaker, I now approach the main and vital point involved in this contest—the point upon which this whole matter must hinge now and hereafter. And that point is this: Who are responsible for the calamities that have befallen the country? Who have imperiled its peace and duration? Who, in the final account in history, in the judgment of men, and before high Heaven, must incur the sentence of guilt?

Sir, whatever may have been the crimes of nations or men, none have been so hardy or unblushing as to admit their perpetration from an inherent love of wrong and injustice; nor will this ever be the case while conscience and virtue hold in their hands the rod of remorse to whip us around the world. While I admit that, in most matters of controversy between men, all right is not on one side, and all wrong on the other, yet I maintain, in the main and vital issues as now existing between the different sections of the country, that the present discontent in the minds of the people of the South has been caused solely by the unjustifiable attacks of the anti-slavery party of the North upon their rights under this Government.

Sir, these causes of discontent have not existed merely for a day or a year. They do not alone relate to the election of Mr. Lincoln, as his friends allege. They have been accumulating and gathering strength, and assuming more dangerous and alarming forms, with every advance in our history; until at last, they have sapped the very foundations of the Government and subverted the Constitution. They consist of no one act, but of an aggregation of acts. They exist in the character, history, object, and purpose of the anti-slavery organization of the free States. They sprung from religious bigotry, self-righteousness, fanaticism, demagoguery, and a general desire on the part of that party to interfere with the affairs of others, to the neglect of their own. They first revealed themselves in this House more than forty years ago, in the character of abolition petitions, praying that slavery might be abolished in this District. From that day to this, the whole South have united in one voice of protest against the agitation of this question of slavery in the national Congress. These

protests have not been regarded ; and the result is, that we to-day behold the fruits of this agitation in a dismembered Union.

Now, sir, I propose to discuss these issues frankly. I propose to discuss the principles of the Republican party, as proclaimed by themselves upon this floor, as proclaimed by their President elect, and as illustrated by their votes in this House. And to this end, I shall address myself to gentlemen on the other side of this Chamber.

Now, sir, in plain words, in honest words—without any circumlocution of logic or party evasions, mental reservations, or anything else that makes up the capital stock in trade of small politicians, trimmers, demagogues, hypocrites, mongrels, or enthusiasts, either North or South, East or West—what are the real issues between the anti-slavery party of the free States, which is the dominant party in those States, and the people of the South ? What are the causes of Southern discontent ? Who is right ? Who is wrong ? Let the truth, the whole truth, and nothing but the truth, be told, and “let justice be done, if the heavens fall.” If the South is in the wrong, let her fall. I will claim for her no quarter, no extenuation. If right, let her stand forever by the right. If the North be wrong, let her recede. It is more just that she should abandon the wrong, than that the South should surrender the right ?

1. The plain issue, then, is this : Domestic slavery exists in the southern States. It did exist in all the colonies when the Declaration of Independence was declared. It existed in twelve out of thirteen States when the present Union was formed. The northern States that were parties to the original compact, abolished it by selling their slaves to the people of the southern States. The people of the southern States claim the right of property in their slaves ; and claim that this right is affirmed in the Constitution by express provision. The North denies this. The South appeals to the decision of the Supreme Court. The North denounces the court and spurns its decision, because it decided against them. The South then inquires whether the North regarded slaves as property, when, for twenty years, by an express provision in the Constitution, (made irrepealable for their benefit,) they reserved the right to import them from Africa, flooding the southern States with them ; selling them with all the muniments of title, and receiving a consideration, as the purchase price for such property, in dollars and cents ? The North prefers to waive this point in the argument ; memory is bad ; circumstances alter cases ; no more money now to be made out of the African slave trade ; nothing is *right* or *religious* but what will pay. The North—honorable men, sincere men ; we are all honorable men, sincere men ; and if not, it is high time we were trying to be—cannot understand how any one can be so stupid as not to comprehend that the man who sold slaves, that he then said were property—gave title to them as such ; received the money for them as such ; still retains the money for them as such, but which he now says are not property, and never were—is not a better Christian and a more honest man than the dupe who believed what he said, bought his property, and paid him the money for it. The South—honorable men, credulous men, plain men—cannot understand how any man at this day, who sold slaves as property, received the money for them as such, and still retains the money for them as such, can assume, reasonably, any pious superiority over the one who still retains the property thus bought and paid for, while this money jingles in the seller’s pocket. The South thinks that, if slavery be a sin, they who would have their garments clean, who would stand acquitted before Heaven and earth from all complicity with it, cannot escape until they disgorge the price of it.

These, sir, are the common-sense views of the people of the South upon this subject. The North cannot appreciate this style of argument. They insist that common sense always was the enemy of metaphysics, transcendentalism, and house-top righteousness ; and that it is not fair or learned to dismount pretentious logic, pampered pride, and vainglorious boast, with plain and simple truth.

2. The people of the South claim the right to occupy, jointly with the people of the North, the common Territories of the United States, and the right to take with them their slave property, and have it protected there, when necessary, under the laws and flag of a common Government. They claim that the Government of the United States was formed to protect every right of the American citizen to life, liberty, and property ; that when their fathers entered into the Federal compact, it was upon the express condition that they and their children after them were not to be denied any of the rights, immunities, and benefits of this common Government.

The North makes no issue of fact upon these propositions ; but claims that slavery is in violation of the Divine law and natural rights ; that it is not recognized by the Constitution ; that it outlaws the slaveholder from the common protection of the Government ; that all men are created free and equal ; and if the Constitution recognizes this right of protection to slave property in the common Territories, they will not regard it, recognizing an obligation to a “higher law than the Constitution, regulating their conduct.”

3. The people of the South affirm that they have the right to regulate their domestic institutions in their own way ; that they never have interfered with the domestic institutions of

the North ; that the people of the northern States have no just right to assail their institutions in the national Congress ; no right to assail them by their press, their pulpits, their legislative acts, and their party organizations ; no right to seek to degrade them before the civilized world ; that they are entitled to domestic peace ; are entitled to be secure in their persons and property against theft, lawless invasion, and threatened insurrection.

The North replies that they do not regard slavery as a desirable form of civilization ; that it is a scandal and a blot upon our national escutcheon, a sin, a wrong—morally, socially, and politically ; and as such, they will assail it in the national Congress, in their press, their pulpit ; and as such, they will exclude it from the Territories, and place it under the ban of the Government. The privileges of a free press and free speech are never to be surrendered ; and by virtue of these privileges they will establish in the free State a public sentiment hostile to it, whether it disturbs the domestic peace, the security of life, liberty, or property, of the people of the South, or not.

4. The North affirms that slavery is a sin, and therefore the slaveholder is not a fit communicant of the sacraments of a common religious faith. The southern Christian replies, that holding communion with men who evade constitutional obligations they have assumed to perform under the obligations of an oath, and who, in the name of Christianity, undertake to shape a public sentiment that eventuates in lawless invasion of sister States, the abduction of their property, and the murder of their citizens, and finally the subversion of the Government itself, would not increase their respectability or their happiness either in this world or the one to come ; and hence, upon this point, they are content to abandon all religious fellowship ; but while they assent to this, they still insist that when their property is stolen, or their fellow-citizens murdered upon their own soil, and the offender flees to a northern State, they are entitled to the rendition of the offender, upon legal requisition, under the plain provision of the Constitution. To this the North replies : to incite insurrection or rebellion in others, without invading the State in person, is nothing but constructive crime ; and to steal a negro is no crime at all ; and hence in neither case will the offender be surrendered upon any requisition whatever.

5. The people of the South say that, since they and the people of the North cannot agree as it regards their respective rights in the Territories, they are willing to refer the whole question to the Supreme Court ; and if this is rejected, they are willing to an equitable division of the same, securing to each section their respective rights by constitutional guarantees ; and if this is rejected, they are willing to withdraw in peace from a common Government, and side by side with the North pursue in honorable rivalry the great future before them.

To all these propositions the North replies, no. They declare that they hold slavery to be the great dragon of the earth, "the sum of all villanies ;" that it "must be limited to its present bounds ;" "must be ameliorated, must be overthrown ;" "and must be placed where the public mind will rest in the belief that it is in the course of ultimate extinction ;" and to this end they will speak of it, write of it, and preach of it, as they please, let the results be what they may. " You of the South shall not judge of your own rights in this Government, nor shall the Supreme Court do it for you. We will not occupy jointly with you the common Territories, nor will we divide them with you. If you desire domestic peace, you must surrender slavery. We will not interfere with it by legislation in the States where it exists ; but while you retain it, you shall neither live in the Union in peace, nor shall you go out of it in peace ; and whatever may be the obligations of compacts or constitutions, we will not recognize it socially, morally, or politically ; and to this end we declare that\* 'it is the duty of the Federal Government to give freedom to every human being and interdict slavery wherever Congress has the constitutional power to legislate on the subject.' And further that no more slave States shall ever be admitted into this Union ; and, while we thus develop free institutions, and organize and admit additional free States, as a necessary consequence, we will, to that extent, destroy the power of the slave States, by surrounding them with hostile communities to assail their institutions ; and thus and in this manner we will drive them inch by inch from their present possessions, until, ultimately, the slave and the slaveholder will be driven and huddled together in the extreme South, where a *crisis* will be reached and passed, beyond which it cannot endure."

These, sir, are the issues between the North and the South. These are the issues that have worked a disruption of the Government ; that have rent asunder the ties of blood, kindred, and country. And here, upon a mere statement of these issues, without argument or comment, the South may safely consent to rest her cause, to await the impartial verdict of all men and all history. There never was an issue in which the right was more clearly on one side, and the wrong on the other. Shall the right be condemned, and the wrong be vindicated ? Never ! never ! God is just, sir ; and His providence will defend the right. Let us not deceive ourselves. We are to-day deliberating over the prostrate form of the Republic—

\* Blake's Abolition resolution.

stricken down in the pride of its strength, as the very sinews of its manhood were nerving its arms to grasp within their embrace the continent. Stricken down in the very mid-noon of its glory, it lies at this moment the prey of conspirators and evil counsellors.

Sir, the guilty cannot escape the responsibility of this terrible crime by shouting, in this Hall, treason! treason! The very men, sir, who for the last two months have been loudest in their denunciations of treason and disunion upon this floor, are the very men who have infused into our body-politic the seeds of death. Anti-slavery fanaticism and its advocates have betrayed the nation, and history will so record it.

What, sir, are the vital leading and controlling elements of the Republican organization? It moves, lives, and has its being in hostility to the domestic institutions of fifteen States of the Confederacy.

1. It was conceived in opposition and hate to slavery. It holds that slavery is the enemy of the public good—is a wrong; that it is the duty of the Government to provide for the general welfare; and in doing this, slavery must be treated as a wrong, and must be repressed as such.

2. To accomplish this end, in strict accordance with their construction of the Constitution, the Republican party hold, as a cardinal principle, that the Government itself was organized, upon an anti-slavery basis; and in now seeking to place slavery, in the language of their President elect, “where the public mind will rest in the belief that it is in the course of ultimate extinction,” they are but executing the original policy and purpose of those who formed the Government.

To accomplish this purpose, and to inaugurate this policy on the part of the Government, they propose, first, to arrest the further spread of slavery into the Territories of the United States; second, to deny to it the countenance and protection of the Government anywhere; third, expand the power of the free States, so as to give them the complete control of all the departments of the Government; and, lastly, they propose, under the plea of free speech and a free press, to attack it as a crime, socially, morally, and politically, in this Hall, in the Senate Chamber, upon the hustings, in their public journals, and from their pulpits; and thus, by all the appliances of popular power and prejudice, a hostile Government, and a sectional organization, they expect ultimately to accomplish its overthrow.

Mr. Speaker, I have no desire to misstate or misapprehend the position of the Republican party. My object is truth; and if ever I desired to utter it, or comprehend it, that is my purpose now. The positions thus assumed by the Republican party I charge to be by far the most dangerous and ultra ever assumed by any political organization in this country, in reference to the long-contested issues between the North and the South. The ultra Abolitionists have ever made war upon this Government, because, as they declare, the Constitution itself sanctions slavery. To overthrow slavery, they have been for an overthrow of the Constitution. To this end they have declared it to be “a covenant with death, and an agreement with hell.” They have never contended that slavery could be overthrown until the Constitution sanctioning it was overthrown. But the Republican party assume that the Constitution was formed to work its ultimate extinction; and hence, in inaugurating a policy to that end, the result may be accomplished within the forms of the Constitution. It will thus be seen that the Republican party, and the ultra Abolitionists that vote with them, seek the same end, differing only as to the method by which it is to be accomplished. Which of these positions is the most insidious and dangerous to the institutions of the South? The first invokes the powers of the Federal Government to the accomplishment of this end; the other admits that the Government was ordained in confirmation of slavery.

But, sir, is it true that this Government was established upon principles looking to the ultimate extinction of slavery? If so, why was the first clause of the ninth section of the first article of the Constitution inserted in that instrument?

“The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808”

Did the framers of the Government expect to accomplish the ultimate extinction of slavery by guarantying the foreign African slave trade to all the thirteen original States, for a period of twenty years, by this clause in the Constitution? Did the members of the constitutional convention from Massachusetts and other northern abolition States understand this to be the policy and object of the Government, when they insisted upon, and passed by their votes, this provision in the Constitution; and not only this, but made it irrepealable by even the people themselves for this period of twenty years? Was the ultimate extinction of slavery to be accomplished by flooding the States with thousands and tens of thousands of foreign Africans for this period of time? Were the framers of the Constitution so ignorant of the means of accomplishing this end, of the ultimate extinction of slavery, by adopting, as a means to that end, the increase of the very thing they sought to destroy?

No, sir; such an idea and such a policy never was entertained by the men who framed

this Government and established this Union. That idea and that policy is an invention of northern fanaticism ; and to invest it with more power to work out its mission of wrong and injustice, its advocates have sought to pervert the truth of history to the consummation of this base end of abolition madness. Not content with this, they have sought to implicate the very men who made this Government as the first original conspirators, who established a policy destructive of its peace, fraternity, and duration. Sir, no forms of party tactics, or honeyed phraseology, can conceal from the people of the South the certain and approaching dangers with which they are menaced by this insidious policy. It will be vain for the advocates of this policy on the other side of this Hall to rise in their places and say that they do not propose to interfere with slavery in the States, when, in the very next breath, they tell us that the leading and cardinal purpose of their party organization is to re-establish the ancient policy of the Government, which, as they avow, looks to the ultimate extinction of slavery everywhere. How is this ultimate extinction to be accomplished ? Will it work its own overthrow without the intervention of the Government ? If so, what necessity can there be in organizing a party that merely looks to this end, without any intention of invoking the powers of the Federal Government to accomplish it.

Sir, beneath this declaration not to interfere with slavery in the States where it exists by direct legislation lurks the insidious intent to lull the apprehensions of the people of the South until they shall be powerless in all the departments of the Government to resist the ultimate fate in preparation for them. Now, gentlemen of the Republican party, you say you do not propose to interfere with slavery in the States by direct legislation. How grateful the people of the South should feel for this wonderful condescension. And how gladly some few gentlemen from the South have availed themselves of this declaration to become your apologists upon this floor, and in that way, through their speeches, speak in your behalf a good word to their constituents. Be kind to them, gentlemen of the North. They are merely lingering upon the brink. No one can tell where the next turn of political fortune may land them. But answer me this plain question : have the extreme Abolitionists of the Phillips and Garrison school ever contended that slavery in the States could be interfered with by Congress, without violating the Constitution ? When you propose not to do what the extreme Abolitionists have never claimed could be done, how much more conservative are you than they upon this subject ? Your President elect says that he has always hated slavery as bad as any Abolitionist. He is their President ; and they and you, here and at home, vote together, and form one party. You do the same thing they do ; and they the same thing you do. Then what is the difference between you ? But you say you do not propose to interfere with slavery in the States. No, sir. You only intend to confine it to its present limits, in a kind of political quarantine, as a leprous curse, too infamous to blight with its touch the Territories of the Federal Union.

You do not propose to interfere with slavery in the States. No, sir. You only intend to surround it by hostile States ; to infest its borders by raids, conspiracies, and underground railroad appliances, until it is driven inch by inch from its present possessions to the extreme sections of the South, where starvation, mutiny, and insurrection will save you the trouble of legislating for its overthrow. You do not propose to interfere with slavery in the States. No, sir. You only intend to outlaw the slaveholder from the common protection of the Government, and fix a brand of inferiority upon his brow, so that he and it may stand degraded before the world by the very Government instituted for the protection of both.

You do not propose to interfere with slavery in the States. Oh ! no, sir. You only intend to refuse to admit any more slave States into the Union, and thereby destroy the power of the South in the Government, by making her powerless and helpless to protect and defend herself, as a mere appendage to be taxed to build up your industry, and to support a Government that denies her its protection.

You do not propose to interfere with slavery in the States. No, sir. You only propose to show the people of the South how much you love them, by holding them and their institutions up before the world as the "sum of all villanies," and a scandal to all civilization.

Sir, when the principle is to be recognized and permanently engrafted upon the policy of this country, that to own a slave, or reside in a slave State, is to forfeit the protection of this Government, and surrender the rights and equality of the American citizen to enter, with his property, the common Territories of the Union, the most fatal step will have been taken, which must eventuate in its ultimate extinction. No institution can survive the legal odium of such a policy. And, sir, for the South to assent to this policy would be to consent to her own disgrace, and impress upon her own unsullied name and honor the brand of shame and infamy. And will she do it ? Never, sir ! Never, by my consent ! Never, while she has a weapon to wield or an arm to defend ! And, sir, if this infamous wrong is to be consummated ; if we are to live in this Government, and be permitted to wear out a miserable existence, with inferiority, disgrace, and shame upon us, by the mere sufferance of a dominant,

hostile, and persecuting section in the North, it were better, far better, that no son of the South should survive such a dishonor of himself and country.

But, sir, how is this policy to be carried out? Who is to do it; and how is it to be done? It is to be done, as I have already shown, by a sectional organization, holding to principles in direct violation of the Constitution of the United States, as settled and determined by the highest judicial tribunal of the land. Before the institutions of the people of the South can be reached; before slavery can be circumscribed to its present limits; before the slaveholder can be excluded from the Territories, placed under the ban of the Government, and outlawed from his rights of protection and equality, the decisions of the courts must be trampled under foot, the Constitution violated, and the very Government itself perverted from its purposes of protection to those of oppression. Has this been done? Yes, sir. During the last session of Congress, there was scarcely a member of the Republican party upon this floor who did not proclaim publicly his determination never to submit to this decision; and to place that intention beyond all doubt, every one of them voted to apply the principles of the Wilmot proviso to all the territorial bills introduced by the gentleman from Pennsylvania, [Mr. GROW.]

This, sir, was the first time in the history of this country when the Constitution was boastfully and unblushingly violated, to subserve the miserable and corrupt ends of party. And yet, sir, we are now daily told by these conscientious gentlemen that they are sworn to support the Constitution and enforce the laws; and to this end they are determined to use the Army and the Navy against the seceding States. When it was necessary to support the Constitution and enforce the laws recognizing the rights and the equality of the people of the southern States in the Territories of the United States, as defined in the Dred Scott decision, their conscience slept, their actions were to be regulated by a higher law than the Constitution they had sworn to support.

When it comes to murdering southern citizens seeking to protect themselves, their families, their firesides, their all worth living for, or worth dying for, from their unjust aggressions, their consciences impel them to this duty with a unanimity never before surpassed in this House.

I will not undertake to assign motives for this sudden conversion from the obligations of that higher law, as defined alone in the anti-slavery ethics of this day and generation. God alone, sir, can look into the human heart and fully comprehend the dark and vindictive passions that gather there. But when this fell purpose is to be consummated by the inauguration of civil war in this land, these motives will appear written in the blood of slaughtered thousands. They will be proclaimed in the wail of widowhood and the cry of orphanage; and in that final hour, when the hopes of this world are rapidly receding in the distance, and those of another opening up before us, they will "return to plague their inventors."

Now, sir, the Republican party, having trampled upon the decisions of the Supreme Court, and established itself upon principles in direct violation of the Constitution of the United States, what is to be the next step in this crusade against the institution of slavery in fifteen States of the Confederacy?

Let us now assume that they have carried out their policy in excluding slavery from all the Territories of the United States; that they have limited its extension forever to its present boundaries, and outlawed the slaveholder from the protection of the Government, and fixed upon him and his section, irrevocably, the brand of inferiority and disgrace. Will they now pause at this point, and cease their war upon the institution as it exists in the States? Will they be content when they have shorn the slave States of their representative power in the Congress of the United States, and all the departments of the Government? Will they be content when they have placed the South in a condition of vassalage, to be taxed at their discretion for the support of a Government hostile to their institutions, and denying to its citizens the benefits of its protection? No, sir. The most humiliating part of this policy about to be inaugurated in this Government has yet to be considered. Under the operation of this policy, it is to be the delightful privilege of a southern Representative to take his seat in this Hall to hear his constituents denounced by abolition orators as pirates and robbers. In vain may he raise his voice of protest against this infamous wrong and slander.

We have been told by the gentleman from Ohio [Mr. SHERMAN] that the people of the North have the right to express their opinions about slavery—to write them, to speak them, to preach them. Freedom of speech, freedom of the press, are essential to the preservation of republican institutions, and they never can be, and never will be surrendered. Do the freedom of speech and the freedom of the press give you the right, sir, to assail, with impunity, my good name, or the right to destroy my life, liberty, or property? If not, have you the right, through those mediums, to create a public sentiment in the minds of others that will lead to that result? If you counsel another to commit murder, or arson, or any other crime, the law holds you responsible for the offense, and for it you may be confined in a prison or executed upon a gallows. Is there any difference, in a moral point of view, whether you counsel the

act in person or create a public sentiment that will lead to its perpetration? Will any one upon this floor deny that the raid of John Brown and his clansmen, upon the soil of Virginia, was but a logical result of the fanatical teachings of northern Abolitionists? It was but the result of inflamed passions and sympathies working to a practical development.

The freedom of speech and of the press were never intended by the framers of the Government to lead to lawless invasions of sister States, or to incite insurrection or rebellion among the slave population of the South. Nor were they intended to be used for the subversion or destruction of any other constitutional right of the American citizen. Would this plea avail you before any earthly tribunal, for the destruction of my life or liberty? These are personal rights, guaranteed by the Constitution. The right of property is equally guaranteed by the Constitution. What right have you, then, in this Hall, or anywhere else, under the plea of free speech and a free press, to seek the destruction of my rights of property? None, sir. And yet, for the last two years, from this Hall, from the Senate Chamber, from the press, the pulpit, the school-room, everywhere, upon the highways and byways, this purpose has enlisted with fanatical zeal the whole anti-slavery organization of the free States of the North.

Sir, what is to be the result of the excitement you are creating, and have created upon this subject? Will it exhaust itself in the partisan harangue? Will it explode harmlessly in the air? Or will it, like the vapors of the earth when caught up into the clouds, concentrate into a revolutionary storm which will deluge this land in blood? Sir, that will be the conclusion of the whole matter.

But you protest against a dismemberment of the Union, and inscribe upon your party banners: "The Union must and shall be preserved." Answer me this plain question: if, when the Federal Union was formed by the adoption of the Constitution, the propositions had been submitted to the convention, first, that no citizen from a slave State, with his slave property, should thereafter ever be permitted to enter any of the Territories of the United States; second, that to own a slave should outlaw him, and withhold from him the protection of the Government; will any one rise here in his place, and say that the Federal Union ever could have been formed upon such a basis? Surely, there is no gentleman in this House so far deluded as that. Then, if the Union never could have been formed upon such a basis, how can any man of reason and fairness believe for one moment that it can ever be maintained upon such a basis? You violate the very principle upon which the Federal Union was formed; and when the people of the South complain and protest against this violation—yes, sir, revolt against this act of your tyranny, rapacity, and injustice—you threaten to use the Army and Navy of the United States to murder them.

Sir, when that day comes, you may invade our peaceful homes. You may desolate our land. You may scatter death and ruin around. You may become butchers for the vulture and raven; and they may feed and fatten upon the bodies of our slaughtered countrymen; but wherever the tramp of your legions is heard, you will find the hardy son of the South ready to meet you in the charge and in the retreat; and wherever you go, whether advancing or flying, you will leave behind you many a bloody track and fallen comrade. Sir, you may make the experiment; but you can never conquer the South. Their ten million proud, free-born necks were never made to wear the yoke of any mortal power or foe against their will. You can conquer them by justice, and not by injustice and the sword. From the first drop of blood shed upon southern soil by armed soldiery, in a war so unjust and unholy as the one you are seeking to provoke, would spring up, if necessary to avenge it, a million warriors. Kentucky, brave, gallant, loyal, patient Kentucky, will not hesitate nor falter when that day comes. Her decision then will be as prompt as her conduct to-day is patient to exhaust the last effort at peace and reconciliation. Sir, she never yet has failed to do her duty, and her whole duty, in storm or in sunshine. She never yet has despised of the Republic; but if you force this issue upon her and her sisters of the South, remember that in the veins of her children courses the blood of old Virginia; and with them, when the final struggle comes, she will share common dangers, common rights, common glories, a common destiny, or a common grave.

Mr. STANTON. The gentleman from Kentucky has slightly mistaken the position which I, together with the Republican party, have assumed in regard to the character of the Constitution of the country. It was never claimed, so far as I know, by any Republican, that this Union was formed with any view to the extension or extinction of slavery. At the adoption of the Constitution it was believed, by common consent, in all sections, that by economical causes, aside from legislation, not through the instrumentality of the Federal Government, that African slavery would ultimately become extinct. That was the common sentiment of the people of the whole country. It was not a thing to be accomplished through the instrumentality of congressional legislation or Federal action, in any form whatever.

I want to answer another question of the gentleman from Kentucky, when he inquired what would have been said or done if it had been proposed, in the constitutional convention, to exclude slaveholders, with their property, from all the Territories. I will respond, that the

Congress of the Confederation, long before, had done precisely that very thing by a unanimous vote of all the States, in every foot of territory then subject to Congressional control.

Mr. SIMMS. I am not discussing the opinions of the gentleman from Ohio, but those of the Republican party, as illustrated by its leading representative men upon this floor, and by its leading public journals throughout the country, and as reflected by its President elect. The gentleman did not vote upon the Blake resolutions, which declared "the chattelizing of humanity and the holding of persons as property is contrary to natural justice and the fundamental principles of our political system, and is notoriously a reproach to our country through the civilized world ;" but every leading representative man of the Republican party upon this floor did. I now charge, and I defy the gentleman to now rise in his place and deny it, that nineteen out of every twenty of the members of the Republican party who have addressed this House, during this and the past session of Congress, have denounced slavery not only as being a *sin*, not only as being a *scandal and reproach* before the civilized world, but as being a crime within itself, infamous and intolerable. The gentleman belongs to the available committee of his organization in this House, whose opinions may be injected cautiously into southern speeches, as the party at this particular time is fighting for allies in the southern States.

Sir, Henry Wilson, Senator from Massachusetts, said, in a speech in New York, in 1855, "that when this Government had been put openly, actually, and perpetually on the side of freedom, that the Republican party would have glorious allies in the South, and that these allies—brave, generous, gallant men—would in their own way, and in their own time, rise upon the South, and lay the foundations of a policy of emancipation, which would give freedom to three and a half millions of men in America." What the Senator from Massachusetts that day said, begins to-day to look like fact and history, from the demonstrations we have recently seen upon this floor, by certain gentlemen from the South. As for the gentleman from Ohio, [Mr. STANTON,] it is well known in this House that he is no exponent of the real, genuine creed of faith of the Republican party.

Mr. STANTON. I am an orthodox Republican.

Mr. SIMMS. About as much orthodox as your distinguished colleague, [Mr. CORWIN,] who, with talents that should place him in the lead of his party in this House, is scarcely recognized as its tail, because he does not hold that negroology is the great science of the age, and that the American Congress should consume all its time in extolling the virtues of the negro, by assailing those of his master.

The gentleman from Ohio, in answer to my question, is equally unfortunate in saying that the Congress of the Confederation, long before the Constitution was made, had excluded slavery from every inch of territory then subject to their control. In the first place, there never was an inch of territory subject to their control upon this continent, until the State of Virginia ceded the then territories northwest of the river Ohio; nor did the confederated Congress ever exclude slavery from this territory. The State of Virginia herself did it by an express provision in her deed of cession to the united colonies. The ordinance of 1787, passed by the confederated Congress, was a mere acceptance of this deed of cession, with the slavery restriction contained in it. Whatever may have been the consequences of that restriction, Virginia alone is responsible for them. It was her act, and not that of the confederated Congress. My opinion has always been that it was the most unwise act of her whole history. It was the first establishment of a geographical line upon this subject, and laid the foundations of that fruitful source from whence have sprung all our national woes. She did it, however, from the best of motives; and these should sanctify in her behalf whatever may have been her error. She had heaved the Revolution, fought its battles, and, like a generous mother, then resolved to pay its debts, by endowing the young Republic, the child of her valor, with an inheritance which would have enriched any throne in Europe. To this end, she gave, without price, two hundred million acres of the best land upon which the sun has ever shone. There is not to-day a single child now educated in all the free schools of the five States now formed out of this territory that does not owe that education to the charity and bounty of old Virginia. And, sir, how has her generosity been requited? These very children are taught in these schools, as admitted by the gentleman from New York, [Mr. CONKLING,] to hate the institutions of Virginia. They are taught, like vipers, to turn and sting their benefactress. God save the mark!

The gentleman from Ohio says, when I charge that the Republican party was organized upon an anti-slavery basis, and that that party holds to the principle that the Government itself was organized upon that basis, looking to the ultimate extinction of slavery (and now, in carrying out that policy, they are but executing the original purposes of those who formed the Government) that I am slightly mistaken. Well, sir, I think, upon investigation, it will be found that the slight mistake is on his side. I have already charged that the gentleman, with all his talents and clearness, is not orthodox upon the Republican creed. I did not

desire to prove this upon him, because it may defeat him at home, and send a worse man here in his place. Nevertheless, we are now seeking the truth; and hence those who are not posted must fall or keep out of the way. We should be frank upon this occasion, and fight this battle on the square. In proof of the charge I make upon the Republican party, I submit an authority which no gentleman on that side of the Chamber will question for orthodoxy. I read from the speech of Mr. Lincoln, delivered at Cincinnati in September, 1859, and also from his published debates with Mr. Douglas, all revised by himself, and published by his party as campaign documents:

"I have taken upon myself, in the name of some of you, to say that we expect upon these principles, to ultimately beat them. In order to do so, I think we want, and must have, a national policy, in regard to the institution of slavery that *acknowledges* and *deals* with the institution as being wrong. Whoever desires the prevention of the spread of slavery and the nationalization of that institution, yields all when he yields to any policy that either recognizes slavery as being *right* or as being an indifferent thing. Nothing will make you successful but setting up a policy which shall treat the thing as being wrong. This Government is expressly charged with the duty of providing for the general welfare. We believe that the *spreading out* and *perpetuity* of the institution of slavery impairs the general welfare. We believe, nay, we know, that this is the only thing that has ever threatened the perpetuity of the Union itself; to repress this thing we think is to provide for the general welfare."

Again:

"In all these things I think that we ought to keep in view our real purpose, and in none do anything that stands adverse to our purpose. But suppose we shall take up some man and put him upon one end or the other of our ticket, who declares himself against us in regard to the prevention of the spread of slavery; who turns up his nose and says he is tired of hearing anything more about it; if we nominate him upon that ground, he will not carry a slave State, and not only so, but that portion of our men who are high strung upon the principle we really fight for, will not go for him. We cannot do it; we cannot get our men to vote it. I speak by the card, that we cannot give the State of Illinois, in such case, by fifty thousand."

Again:

"I am not, in the first place, unaware that this Government has endured eighty-two years, half slave and half free. I believe—and that is what I meant to allude to then—I believe it has endured because, during all that time, until the introduction of the Nebraska bill, the public mind did rest in the belief that slavery was in the course of ultimate extinction. I have always hated slavery I think as much as any Abolitionist. I always believed that everybody was against it, and that it was in the course of ultimate extinction."

Again:

"And now as to the judge's informer. That because I wish to see slavery placed in the course of ultimate extinction—placed where our fathers originally placed it."

Again:

"The chief and real purpose of the Republican party is eminently conservative. It proposes nothing save and except to restore this Government to its original tone in regard to this element of slavery, and there to maintain it, looking to no further change in reference to it than that which the original framers of the Government themselves expected and looked forward to."

Again:

"From the adoption of the Constitution down to 1820 is the precise period of our history, when we had comparative peace upon this question. It was when a policy had been adopted and was prevailing which led all just and right-minded men to suppose that slavery was generally coming to an end, and that they might be quiet about it, watching it as it expired."

Now, sir, was I slightly mistaken, when I stated that the Republican party was organized upon an anti-slavery basis? That they held slavery to be a wrong? That they proposed to legislate in reference to it as a wrong? That it was opposed to the general welfare, and, as such, it was to be repressed? and lastly, that they held that the Government itself was organized upon an anti-slavery basis; and to pursue that course of policy towards it that would lead to its ultimate extinction, would be but to carry out the original purposes of those who formed the Government?

Whose authority shall we accept upon this subject? Mr. Lincoln's, the President elect of the party, or the gentleman from Ohio? Will some Republican brother rise in his place and espouse the cause of the gentleman from Ohio? But upon this occasion Mr. Lincoln has the offices to give gentlemen. What, "none so poor as do him reverence?"

Sir, I do not claim for my section any right or privilege that I would not be willing to-morrow to imperil my life to guaranty to every other section of our common country; and in this declaration I know I reflect the sentiment of every manly heart upon the soil of Kentucky. "Equal rights to all, and exclusive privileges to none"—these are her mottoes; these were the undying mottoes of our fathers; and from them this Government sprung into life and being. Deny them, and it must perish, for the life-giving principle and the death-dying stroke must emanate from the same hand. Adopt them to-day, and our dissevered nationality and divided country will spring into existence and unity again under our same old banner of stars, more glorious and more durable for the misfortunes through which we have passed.

Sir, I never yet have felt in my heart a feeling of disloyalty to the Constitution of my country. Kentucky has never yet given birth to a disunionist *per se*. We love our country, and would die, the last man of us, under its flag; but the time-honored emblems of that flag—justice, equality, and fraternity—must not be effaced. If so, it will not be the flag of our

fathers, the covenant of our nationality. It will be the sign-manual of the despoiler, the badge of our enslavement, and as such we will resist it to the death.

Sir, in my district repose at this moment the ashes of the immortal Clay. Now, and in this presence, and upon such an occasion as this, were I unmindful of the solemn responsibilities resting upon me, I should expect a voice of rebuke from the tomb of the mighty dead. I will cling to every hope that justice may yet be done, and from our divided councils may yet spring some common principle of adjustment, alike just and honorable to every section, upon which we may yet unite hand in hand and heart in heart, as our fathers stood before us. If not, the fault will be yours not ours, and upon your head must rest the responsibility.

Sir, I am a son of the South. There is not a hope nor aspiration of my soul that does not bind me to her and her destiny. I am jealous of her honor. I will never surrender it. There is not a hill nor a dale nor a battle-field where glory has been won, from the Gulf-stream in the South, to the far distant regions of the North, where the blood of her children has not been poured out like water. These are the pledges of loyalty she has given to her country. They are hers. No malice can assail them; no injustice can impair or destroy them. They will stand forever in history as imperishable testimonials of her loyalty and patriotism. They plead to-day in her behalf,

“Like angels trumpet tongued against  
The deep damnation of her taking off”

And yet, sir, with all these facts beaming from every page of our history, what has been the treatment she has received in this Hall? What is to be the future policy of this Government towards her? For two years, as one of the Representatives of her people, I have been compelled to sit here and hear every epithet that obscenity could invent and malice prefer, hurled in denunciation and hate upon the heads of my constituents—robber, pirate, slave-driver, infamous, villainous, hell-destined, Heaven-forsaken—these are the stereotyped phrases of our brethren on that side of the House. Sir, if a stranger a hundred years hence should open the Congressional Globe of this and the last session of Congress, and he were ignorant of the character and institutions of the people of the South, he would be convinced that they were without a virtue; mere fiends in human shape, with their victims smarting under the lash from morn till night. Sir, is this just; can it be endured? What man of honor can submit to this? I put the question to you on that side of the House: what degradation can be deeper? And yet, sir, I have been compelled to endure it. My lips have been sealed under the rules of this House, and I have heard your denunciations, when, had you uttered them in my presence out of this Chamber, I would have hurled them back in your throat as slanderous, false, and foul. Not content with this, you now propose to outlaw us from the protection of the Government and to exclude us, because of our institutions, from its common Territories. It is not enough for you to seek to fix upon us, and our institutions, the brand of opprobrium—the Government must do it; and whenever we look upon its flag fluttering to the breeze, this must remind us of our degradation and shame. Do you suppose we care the snap of my finger for the small, barren waste which lies south of this line of 36° 30', as a mere question of territory? No, sir. I would not give this Union for ten thousand such territories. But in this adjustment is involved a principle vital to our existence, vital to our honor, high as the Government itself, and which never can be surrendered. Protection, equality, these are the prices of allegiance to every Government; and the Government that exacts the one and denies the other, is a sham and a cheat. These, sir, we will demand, on land and on sea, wherever the flag of the Union floats.

I might demand of the gentleman from Ohio, slightly deluded as he is upon the slavery question, whether any honorable man could accept less? Do you make slavery an objection? Why, sir, there is scarcely an African upon this continent whose ancestors your fathers did not bring into this country and sell into the South. You have got the money, and we have got the slaves. If slavery be a sin, how much better are you than we? Take the case put by the gentleman from North Carolina, [Mr. GILMER.] I would carry it out a little further. When this Government was organized, slavery existed in all the States except one. It had been recognized and protected by all the united colonies, for more than one hundred and fifty years before the Government was formed. Since that time, you have abolished slavery in the northern States, by a very peculiar style of emancipation. Before your laws of emancipation took effect, you transferred your slaves to the South, and sold them for the money. When your laws took effect there were no slaves to claim their benefit; they could not reach the cash in your pockets. I merely remind you of this because we do not always “see ourselves as others see us;” and, too, I would have you receive all the glory of such metallic philanthropy. This was the condition of things at the beginning. Now you represent Mr. North, and my friend here by my side, Mr. South—two clever old gentlemen. Under that higher law, to multiply and replenish the earth, you moved on harmoniously. You peopled and settled all your Territories. After a while you acquired the Louisiana purchase. Mr. North had sold his negroes to Mr. South. With age, as his memory fails, his piety increases. He insists that

this territory shall be divided. "Very well," says Mr. South, "anything for peace." The division is made. The territory from Mexico is acquired. "Let us divide as before, brother North," says Mr. South. "No, sir," replies brother North, "I demand all, and that neither you nor your children shall ever have one inch of it." "Why did we not purchase it jointly with our common blood and treasure?" "Yes, sir," replies brother North; "but you have slaves. Slavery is sinful; it is an abomination in the sight of the Lord. There can be no such thing as property in man." "What," says Mr. South, "did you not sell me your slaves? Have you not still my money for them? Were they property when you sold them, and now, because you can no longer make money out of the African slave trade, do you propose to make up for this by playing *grab* upon all the joint territories purchased as much by the blood of my children as yours? You had a monopoly of the slave trade for twenty years. Does your avarice shape your conscience? If so, brother North, you may deceive men; you may deceive your own children; because it is their interest to be deceived; and if they are like their fathers, they never will forget to urge their conscience when a dollar is to be made. But you cannot deceive God. If slavery be sinful, you still have the price of it in your pocket. Remember this: God is just." "But," says brother North, "I have more children than you: we can out-vote you, and we will decide the question at the ballot-box." "But," says Mr. South, "this is the highwayman's plea. Where is your conscience now? Does it sleep? And this, too, will be a breach of our solemn covenant. How about the money I paid you for your slaves?" "Covenants," says Mr. North, "what care I for covenants? I am a disciple of the higher law. I keep no covenant, except that which teaches me to keep all I have got, and to get all I can; and, as to the money, 'I do not like this paying back; 'tis a double trouble;'

"Honor pricks me on."

"Yea, but," says Mr. South, "how if honor prick you off when you come on? how then? Can honor set to a leg? No. Or an arm? No. Or take away the grief of a wound? No. Honor hath no skill in surgery then."

Mr. Chairman, there is a moral as well as wit in these reflections. If you have resolved that there is more power in the Army and Navy to hold these States in unity and peace, than in fraternal ties and public justice, and you have determined to make the experiment with the seceding States upon a point of honor, remember that "honor hath no skill in surgery." Instead of this "trim reckoning" between bone of our bone and flesh of our flesh, I would commend the golden rule, which will alike save your honor, theirs, and ours.

What kind of an honor is that which demands a brother's blood? If successful, will it compensate for the ruin you have brought upon your country? If defeated, what plea will you make before men and high Heaven with the blood of your brother upon your hand?

Mr. Chairman, if every proposition for an adjustment should fail, I know of no one upon this floor who will have contributed more to that result than the gentleman from Tennessee, [Mr. ETHERIDGE.] He has announced in this House that he will take the Crittenden proposition; if he cannot get that, he will take his own proposition; if he cannot get that, he will take the report of the committee of thirty-three; and, if he cannot get that, he will take nothing, and go home to put down all discontent in the South by power and by the sword. Now, sir, in my judgment, any gentleman from the South who takes that position is the worst enemy of the Union upon this floor. Will the States that have withdrawn from the Union ever return, unless you adopt such an adjustment as will induce them to return? Never, never, sir. Can it be expected that the North will grant anything, when southern Representatives will be content with nothing. Sir, there is no power that can force the Republican party of this House to accept the Crittenden proposition, with declarations like these uttered by southern men upon this floor. What is to be the effect? The effect, sir, will be to confirm a disruption of the Union, or to deliver the South over, bound hand and foot, to her enemies.

Mr. STOKES. I desire to correct a misapprehension. I hope the gentleman from Kentucky will not refuse me that privilege.

Mr. SIMMS. Certainly not, sir.

Mr. STOKES. My colleague stated here in his place that he would vote for the Crittenden proposition; that he would vote for the border-States proposition; that he would support the proposition presented by the chairman of the committee of thirty-three; that, if he could not get that, rather than see the Union severed in twain, he would take nothing and go home, and stand before the people with the Constitution in one hand and his sword in the other, to fight for the Constitution and Union. And I will say to the gentleman from Kentucky, that the very best men we have in the State of Kentucky will hold to that doctrine rather than see the Union destroyed.

Mr. SIMMS. I do not see what misapprehension the gentleman has corrected. He has said his colleague stated precisely what I imputed to him. The great difficulty with the gentleman and his colleague is, that they do not seem to know that the Union is already divided.

It is not a question to maintain the Union as it is merely ; but to restore it to what it was before its dismemberment. Does not the gentleman know that the withdrawing States have already organized a provisional government ; that it is not only a government *de facto*, but also *de jure*? Does he not know that the people who have organized this new government will stand by it to the death ; that they never will enter the Federal Union again except upon a satisfactory adjustment of existing difficulties ? Does he expect to accomplish this adjustment by telling the people of the North he will be satisfied with nothing ? Does he expect to get what he wants by surrendering what he claims upon this floor ? And will it mend the matter any to go home with the Constitution in one hand and his sword in the other, to descend eloquently upon some stump before the yeomanry of Tennessee ? This is the place, sir, to contend for the rights of your section. Do not surrender them, and then talk of going home with the Constitution in one hand and the sword in the other. As for Kentucky, she will never compound her rights with her enemies—surrender them here, and talk of going home to do this or that. Her people demand that her rights and honor be maintained here upon this floor, and the Representatives of hers who would betray her in this hour will meet her scorn and contempt.

Mr. CLARK, of Missouri. I move that the time of the gentleman be extended.

Mr. SIMMS. I am obliged to the House.

Mr. Speaker, whatever may have been the misfortunes of our country, there is one class of our fellow-citizens who will stand acquitted before Heaven and earth. I mean the brave and true Democracy of the North. For years, long years, they have stood in the breach in resistance to fanaticism with a devotion and courage worthy of the crown of martyrdom. They have fallen at last, "but they have fallen with their backs to the field and their feet to the foe."

Mr. Speaker, is there any gentleman upon this floor who believes for one moment, that the mere power of a paper Constitution can hold this Union together, or that the sword can reconstruct it when dismembered ? Sir, this Government was not formed by force. It can never be maintained by force. It was the voluntary creation of sovereign States. It sprung into life and being by the voluntary acts of the States ratifying the Constitution that formed it, and it can only endure while it is their voluntary choice. It is not upheld by, nor is it dependent for its duration upon, any inherent power of its own. The blessings it confers upon the millions subject to it, create its strength. They repay its protection with affection and loyalty. These, sir, are the pillars of its strength. They will endure forever, while your Government is just. Deny this, and you sap the very foundations upon which it is constructed.

Sir, it is in vindication of this principle that the right of revolution underlies all free Governments. This right I hold to be imperishable and indestructible. None but tyrants and despots have ever denied it. It has been asserted by every civilized nation upon the habitable globe. It has overturned principalities and powers, and remains to-day where God placed it—in the unfettered arms and brave hearts of every people resolved to be free. This plea against the right of revolution was the plea of Charles I, when demanding subsidies from the toiling millions to fill the coffers of a corrupt Court. It was the plea of George III, seeking to rivet the chains of a despotism upon the colonies of America. Yet the principle was asserted in both cases. It brought the head of Charles to the block, and released the infant limbs of the colonies from the thraldom of British power.

For the time, sir, armed legions may trample upon it, but it will spring into life again with every new necessity, while a single inspiration of Divinity, manhood, or honor resides in the human breast. Every age has its Brutus, and the cause of the chaste Lucrece still survives the wreck and fall of empires. If you would avoid revolution, so act as to avoid its necessity. The question before us to-day, stripped of all rubbish and metaphysical jargon, is simply one of fact. It is, first, peace and reunion ; second, peace and separation ; or, third, separation and war. Disguise it as we may, these are the only issues upon which we are called to act. If we preserve peace, we preserve every chance of a reconstruction of the Union. If we resort to war, we will wickedly throw away every such chance, and forever confirm the present disruption of the Government.

But you say you desire only to enforce the laws. Sir, this plea of enforcing the laws means war in this instance, and it means nothing else. Why, then, not call it by its proper name ?

Then, sir, which of the alternatives will we accept—peace and reunion ? Will you reject this ? Separation and peace. Will you reject this, too ? If so, then you mean to force upon the people of the South the third alternative ; which means separation, and war to the knife, to death, to extermination.

Mr. Speaker, is this the solemn resolve of the North ? Will nothing less than southern blood, or an unconditional and disgraceful submission to your unholy wrongs and aggressions upon our rights and equality, appease your purpose ? Then let it be so ; but before you take this final step, let me here in my place, as the Representative of a people who never quailed before the storm in the darkest and most trying hour of the past ; who never faltered in their

devotion to the Constitution of the country, or turned their back upon friend or foe, enter before the world and high Heaven my solemn protest against this act.

I believe, sir, that I reflect the sentiment of every manly heart upon the soil of Kentucky, when I say, in any alternative, give us peace. We have weapons, we have strong arms and brave hearts, but, sir, they are for our defense, for our enemies abroad, and not for the murder of our brothers and kindred. Do not, then, force this issue upon us. If you do, I tell you now, before God and the universe, we will be guiltless of the calamities you will bring upon our country. If still your purpose is inexorable, I tell you now by that act you will have broken the last link that binds this Confederacy together, as between the States of the South and the North. You will have done more than that. You will have dug a gulf between them where nothing but hate, but revenge, will cross, wide as that which intervenes between right and wrong, between freedom and slavery. And still worse, and more than this, you will have done. You will have performed but the first act in the bloodiest tragedy the world has ever seen. Brennus like, you will have thrown your sword into the scale, and demanded that southern blood and southern hearts shall weigh it down to satisfy your injustice, your vengeance, and cupidity. And, sir, when that day comes, and come it must if force and coercion is to be the policy of this Government, the last ray of adjustment and union will have faded away, and the cause of the South will become a common cause.

Did God, in his providence, bless us with this fairest possession of the earth that we might grow up in it, to our present power and position among the nations of the world, for no other purpose than that we might show our skill in butchering each other, and thereby prove ourselves the vilest ingrates that ever flourished upon his bounty or insulted his providence? God forbid that we should do this thing. Sir, if this is to be our last act in the great drama of human events, let the historian refuse to write. Let us be accursed and forgotten among the nations of the earth. Sir, I undertake to speak for Kentucky at this moment. Her voice is for peace, for conciliation. She demands an adjustment of existing difficulties alike just and honorable to every section. She demands for herself and her people their life, their liberty, their property, justice, protection, and equality under the flag of the Union, wherever it floats. If these just expectations are denied her, she then, with bleeding heart and earnest purpose, demands that, while fraternal ties are breaking, and the word farewell still lingers upon kindred lips, that you shall not commence the work of slaughter and death. Sir, in her name demand this; and if you refuse it, remember when our land is rent by factions; when we shall scent the tainted air of the battle field; when we shall behold that flag, once the emblem of our united affections, waving above the bloody sod and the death-strewn deck, where slaughtered kindred lay one upon another in "moldering heaps;" remember then, and in that hour, that the voice of Kentucky was for justice, equality, and peace.